



General Assembly

February Session, 2008

Amendment

LCO No. 6573

HB0581506573HR0

Offered by:

REP. WILLIAMS, 68th Dist.

To: House Bill No. 5815

File No. 324

Cal. No. 191

***"AN ACT CONCERNING THE MISSION OF THE DEPARTMENT OF
PUBLIC UTILITY CONTROL."***

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (f) of section 16-50j of the 2008 supplement to
4 the general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective from passage*):

6 (f) The public members of the council, including the chairman, the
7 members appointed by the speaker of the House and president pro
8 tempore of the Senate and the four ad hoc members specified in
9 subsection (c) of this section, shall be compensated for their attendance
10 at public hearings, executive sessions, or other council business as may
11 require their attendance at the rate of two hundred dollars, provided in
12 no case shall the daily compensation exceed two hundred dollars.
13 Council members shall receive reimbursement for their necessary
14 expenses incurred in the discharge of their official duties.

15 Sec. 502. Section 16-50r of the general statutes is repealed and the
16 following is substituted in lieu thereof (*Effective from passage*):

17 (a) Every person engaged in electric transmission services, as
18 defined in section 16-1 of the 2008 supplement to the general statutes,
19 electric generation services, as defined in said section, or electric
20 distribution services, as defined in said section generating electric
21 power in the state utilizing a generating facility with a capacity greater
22 than one megawatt, shall, annually, on or before March first, file a
23 report on a forecast of loads and resources which may consist of an
24 update of the previous year's report with the council for its review. The
25 report shall cover the ten-year forecast period beginning with the year
26 of the report. Upon request, the report shall be made available to the
27 public. The report shall include, as applicable: (1) A tabulation of
28 estimated peak loads, resources and margins for each year; (2) data on
29 energy use and peak loads for the five preceding calendar years; (3) a
30 list of existing generating facilities in service; (4) a list of scheduled
31 generating facilities for which property has been acquired, for which
32 certificates have been issued and for which certificate applications
33 have been filed; (5) a list of planned generating units at plant locations
34 for which property has been acquired, or at plant locations not yet
35 acquired, that will be needed to provide estimated additional electrical
36 requirements, and the location of such facilities; (6) a list of planned
37 transmission lines on which proposed route reviews are being
38 undertaken or for which certificate applications have already been
39 filed; (7) a description of the steps taken to upgrade existing facilities
40 and to eliminate overhead transmission and distribution lines in
41 accordance with the regulations and standards described in section 16-
42 50t; and (8) for each private power producer having a facility
43 generating more than one megawatt and from whom the person
44 furnishing the report has purchased electricity during the preceding
45 calendar year, a statement including the name, location, size and type
46 of generating facility, the fuel consumed by the facility and the by-
47 product of the consumption.

48 (b) Every person engaged in natural gas transmission services,

49 natural gas storage services or natural gas distribution services in the
50 state shall, on or before March 1, 2009, and biennially thereafter, file a
51 report on a forecast of natural gas consumption and resources with the
52 council for its review. The report shall cover the five-year forecast
53 period beginning with the year of the report. If a gas distribution
54 company files a forecast pursuant to section 16-32f of the 2008
55 supplement to the general statutes, such company may use its latest
56 submittal to comply with the requirement of this subsection. Upon
57 request, the report shall be made available to the public. The report
58 shall include, as applicable: (1) A tabulation of estimated natural gas
59 consumption, resources and margins for each year; (2) data on natural
60 gas consumption and resources for the five preceding calendar years;
61 (3) a list of existing natural gas transmission facilities in service; (4) a
62 list of scheduled natural gas transmission facilities for which property
63 has been acquired, for which certificates have been issued or for which
64 certificate applications have been filed; (5) a list of planned natural gas
65 transmission facilities for which property has been acquired or at
66 facility locations not yet acquired that will be needed to provide
67 estimated additional natural gas requirements and the location of such
68 facilities; and (6) a list of planned natural gas transmission lines.

69 (c) Confidential, proprietary or trade secret information provided
70 under this section may be submitted under a duly granted protective
71 order. The council may adopt regulations, in accordance with the
72 provisions of chapter 54, that specify the expected filing requirements.
73 [for persons that transmit electric power in the state, electric
74 distribution companies, and persons that generate electric power in the
75 state utilizing a generating facility with a capacity of greater than one
76 megawatt.] Until such regulations are adopted, persons that transmit
77 or distribute electric power or transmit, distribute or store natural gas
78 in the state shall file reports pursuant to this [section that include the
79 information requested in subdivisions (6) and (7) of this subsection;
80 electric distribution companies in the state shall file reports pursuant
81 to this section that include the information requested in subdivisions
82 (1), (2), (7) and (8) of this subsection; persons that generate electric

83 power in the state utilizing a generating facility with a capacity greater
84 than one megawatt shall file reports pursuant to this section that
85 include the information requested in subdivisions (3), (4), (5) and (8) of
86 this subsection] section. The council shall hold a public hearing on
87 such filed electric forecast reports annually and such filed natural gas
88 forecast reports biennially. The council shall conduct a review in an
89 executive session of any confidential, proprietary or trade secret
90 information submitted under a protective order during such a hearing.
91 At least one session of such hearing shall be held after six-thirty p.m.
92 Upon reviewing such forecast reports, the council [may] shall issue its
93 own report assessing the overall status of natural gas loads,
94 consumption and resources in the state. [If the council issues such a]
95 Such report [, it] shall be made available to the public and shall be
96 furnished to the Connecticut Energy Advisory Board, established
97 pursuant to section 16a-3, and each member of the joint standing
98 committee of the General Assembly having cognizance of matters
99 relating to energy and technology, any other member of the General
100 Assembly making a written request to the council for the report and
101 such other state and municipal bodies as the council may designate.
102 The council shall publish the report, on its web site and otherwise
103 distribute it to meet the informational needs of interested people.

104 [(b)] (d) On October 1, 1994, and not less than once every five years
105 thereafter, the council shall establish a proceeding to investigate and
106 determine life-cycle costs for both overhead and underground
107 transmission line alternatives. The council shall determine the
108 schedule and scope of the investigation at a publicly noticed meeting
109 held not earlier than ninety days preceding the first public hearing on
110 the matter. The scope of the investigation shall include, but not be
111 limited to, an inquiry of all relevant life-cycle costs, relative reliability,
112 constraints concerning access and construction, potential damage to
113 the environment and compatibility with the existing electric supply
114 system. As part of the investigation the council shall hold public
115 hearings which shall afford all interested parties opportunity to be
116 heard. At least one public hearing shall be held after six-thirty p.m.

117 [(c)] (e) An investigation conducted pursuant to subsection [(b)] (d)
118 of this section may include the retention of consultants, manufacturers
119 and other experts necessary for the council to objectively determine the
120 range of life-cycle costs of such alternatives. No such consultant,
121 manufacturer or expert shall have any financial interest in, or, in the
122 twelve months preceding the investigation, have engaged in any
123 business, employment or professional activity for compensation with a
124 corporation, company, association, joint stock association, partnership
125 or person, or lessee thereof, owning, leasing, maintaining, operating,
126 managing or controlling poles, wires, conduits or other fixtures, along
127 public highways or streets, for the transmission or distribution of
128 electric current for sale for light, heat or power within the state, or with
129 a person, firm or corporation which manufactures such poles, wires,
130 conduits or other fixtures. The council shall apportion and assess its
131 expenses for consultants, hearing facilities, stenographic reports and
132 other reasonable and necessary expenses of conducting such an
133 investigation among those persons, firms and corporations having
134 gross revenues from the retail sale of electric power in excess of one
135 hundred thousand dollars during the preceding calendar year. The
136 council shall assess each such person, firm or corporation in
137 proportion of its gross revenues to the aggregate gross revenues of all
138 such persons, firms and corporations. Each person, firm or corporation
139 subject to an assessment shall pay its assessed amount not later than
140 thirty days after receiving notice of its assessment or as specified by
141 the council. Prior to incurring expenses for which assessments shall be
142 made under this subsection, the council shall review the anticipated
143 expenses at a public meeting, notice of which shall be given to each
144 person, firm or corporation subject to an assessment. A person, firm or
145 corporation may object to an assessment made pursuant to this
146 subsection by filing with the council, not later than thirty days after
147 receiving notice of its assessment, a petition stating the amount of the
148 assessment to which it objects and the grounds upon which it claims
149 such assessment is excessive, erroneous, unlawful or invalid. Upon the
150 request of the petitioner, the council shall hold a hearing. After
151 reviewing the company's petition and testimony, if any, the council

152 shall issue an order in accordance with its findings. The petitioner shall
153 pay the council the amount indicated in the order not later than thirty
154 days after the date of the order.

155 ~~[(d)]~~ (f) The council shall remit all payments received pursuant to
156 this section to the State Treasurer for deposit in the Siting Council
157 Fund. Such payments shall be accounted for as expenses recovered
158 from electric power suppliers. All payments made under this section
159 shall be in addition to any taxes payable to the state under chapters
160 211, 212, 212a and 219.

161 ~~[(e)]~~ (g) An assessment unpaid on the due date or any portion of an
162 assessment withheld after the due date under this section shall be
163 subject to interest at the rate of one and one-fourth per cent per month
164 or fraction thereof.

165 Sec. 503. Subsection (b) of section 16a-3 of the 2008 supplement to
166 the general statutes is repealed and the following is substituted in lieu
167 thereof (*Effective from passage*):

168 (b) The board shall (1) represent the state in regional energy system
169 planning processes conducted by the regional independent system
170 operator, as defined in section 16-1 of the 2008 supplement to the
171 general statutes; (2) encourage representatives from the municipalities
172 that are affected by a proposed project of regional significance to
173 participate in regional energy system planning processes conducted by
174 the regional independent system operator; (3) participate in a forecast
175 proceeding conducted pursuant to [subsection] subsections (a) and (b)
176 of section 16-50r, as amended by this act; (4) participate in a life-cycle
177 proceeding conducted pursuant to subsection ~~[(b)]~~ (d) of section 16-
178 50r, as amended by this act; and (5) review the procurement plan
179 submitted by the electric distribution companies pursuant to section
180 16a-3a of the 2008 supplement to the general statutes.

181 Sec. 504. (NEW) (*Effective from passage*) Notwithstanding any section
182 of the general statutes, the Connecticut Siting Council, established
183 pursuant to section 16-50j of the general statutes, shall grant automatic

184 approval to any project, including the building of transmission lines,
185 that the regional independent systems operator, as defined in section
186 16-1 of the 2008 supplement to the general statutes, deems necessary
187 for reliability."